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Advanced Intellectual Property Issues

Volume I: Copyright

Course Materials
Spring, 1997

Professor Rosemary J. Coombe*
Faculty of Law
University of Toronto

For the classroom use of University of Toronto students only.

*With the assistance of David Fewer

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Volume I: Copyright

1. **Introduction**

Edwin C. Hettinger, "Justifying Intellectual Property" (1989) 18 Philosophy & Public Affairs 31. 1

Jessica Litman, "Copyright Legislation and Technological Change" (1989) 68 Oregon Law Review 275. 13

J. Thomas McCarthy, "Intellectual Property -- America's Overlooked Export" (1995) 20 Dayton Law Review 809. 48

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2. **Overview**

L. Ray Patterson, "Free Speech, Copyright, and Fair Use" (1987) 40 Vand. L. Rev. 1. 63

Jessica Litman, "The Public Domain" (1990) 39 Emory Law Journal, 965. 80

David Vaver, "Rejuvenating Copyright" (1996) 75 Canadian Bar Review 69. 99

Peter Jaszi, "Caught in the Net of Copyright" (1996) 75 Oregon Law Review 299. 105

Peter Jaszi, "Toward a Theory of Copyright: The Metamorphosis of 'Authorship'" (1991) 1991 Duke Law Journal 455. 113

3. **Internet**

John Perry Barlow, "The Economy of Ideas: A Framework for Rethinking Patents and Copyright in a Digital Age (Everything You Know About Intellectual Property is Wrong)" (1994) 2.03 Wired 84. 121

Esther Dyson, "Intellectual Value" (originally published as "Intellectual Property on the Net" (1995) 3.07 Wired 136). 134

The Copyright SubCommittee of the Information Highway Advisory Council, "Copyright and the Information Highway: Final Report of the SubCommittee on Copyright" (Ottawa: Industry Canada, 1995). 141

Jessica Litman, "Revising Copyright Law for the Information Age" (1996) 75 Oregon Law Review 19. 154

Industry Canada, "Content-Related Internet Liability Study" (May, 1996). 190

CAIP (Canadian Association of Internet Providers), "Code of Conduct" (October, 1996). 194

Keith Aoki, "(Intellectual Property and Sovereignty: Notes Towards a Cultural Geography of Authorship" (1996) 48 Stanford Law Review -- (forthcoming). 196

4. **Telecommunications** (Readings will be distributed in class.)

5. **Copyright and Freedom of Expression**

David Fewer, "Constitutionalizing Copyright: Freedom of Expression and the Boundaries of Copyright in Canada" (1996) University of Toronto Faculty of Law Workshop Paper (February, 1997). 209

L. Ray Patterson, "Free Speech, Copyright, and Fair Use" (1987) 40 Vand. L. Rev. 1. 228

L. Ray Patterson, "Amicus Advocacy: Brief Amicus Curae of Eleven Copyright Law Professors in *Princeton University Press* v. *Michigan Document Services, Inc.*: Editor's Forward" (1994) 2 Journal of Intellectual Property Law 183. 247

Willajeanne F. Mc Lean, "All's Not Fair in Art and War: A Look at Fair Use after *Rogers* v. *Koons*" (1993) 59 Brooklyn Law Review 373. 280

Pierre Leval, "Justice Souter's Rescue of Fair Use: 2 Live Crew" (1993) 13 Cardozo Arts & Entertainment Law Journal 19. 295